

PTO/SB/21 (08-03)

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/691,221	RECEIVED CENTRAL FAX CENTER OCT 22 2004
	Filing Date	10/22/2003	
	First Named Inventor	Achim Buchholz	
	Art Unit	3721	
	Examiner Name	LOPEZ, Michelle	
Total Number of Pages in This Submission	3	Attorney Docket Number	P-US-PR 1083

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Michael P. Loary - FAX 410-716-2610
Signature	<i>Michael P. Loary</i>
Date	October 22, 2004

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

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Appl. No. 10/691,221
Election dated October 22, 2004
Reply to Office Action dated October 01, 2004

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OCT 22 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/691,221
Applicant : Achim Buchholz
Filed : October 22, 2003
Title : Hammer

Confirmation No. 8255

TC/A.U. : 3721
Examiner : M. Lopez

Docket No. : P-US-PR-1083

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

ELECTION RESPONSIVE TO OFFICE ACTION

I, Michael P. Leary, PTO Reg. No. 41,144, hereby certify that this correspondence is being facsimile transmitted to the US Patent and Trademark Office number (703) 8729306 on 10/22/2004


Michael P. Leary

Madam:

In the Action dated October 1, 2004 the Examiner required the election of one of the following identified inventions:

- I = claims 1-11 to powered hammer, class 173, subclass 48
- II = claims 12-14 to a piston hammering mechanism, class 173, subclass 104
- III = claim 15 to a method of assembling a piston and trunnion subassembly, class 173 subclass 1.

In reply, the Applicant elects to pursue prosecution of invention I. Claims 1-11 read on the elected invention.

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Claims 12-14, and 15 are withdrawn without prejudice. Applicant reserves the right to pursue the withdrawn claims in a later filed Continuation application.

Respectfully submitted



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October 22, 2004

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